6844 30th Ave. N.E.
Seattle, WA 98115
February 11, 1995

Bill Caton, Secretary of the F.C.C.
Rulemaking No. 8577
Federal Communications Commission
1919 M. Street N.W.
Washington, D.C. 20554

Dear Mr. Caton:

I strongly oppose your potential approval of the CTIA's petition to "preempt state and local regulation of tower siting for commercial mobile services and providers" (F.C.C. No. 8577). Approval of this petition to override state and local regulations regarding installation of cellular antennas should be denied because the Constitution allows states and local governments to enact reasonable regulations to protect the public safety and because cellular antennas present public safety hazards which necessitate local regulation.

Because the Tenth Amendment of the Constitution provides for states and local governments to set reasonable regulations to protect the public safety and welfare, preemption of state and local antenna regulation would be unconstitutional. Congress has implicitly recognized the rights of local governments to regulate tower placement by taking no action toward preemption. Certainly the F.C.C., a federal agency, has no legal basis for challenging state or local law when no Congressional legislation has been enacted to allow a challenge to the protection afforded by our Constitution.

That Constitutional protection of state and local rights is especially necessary in relation to regulation of cellular antenna placement. Numerous scientific studies have definitely linked microwave radiation and EMF's from the cellular towers to high probability of cancer and to breakdown of DNA in the brain. These health hazards occur because antenna radiation suppresses the body's secretion of melatonin, an antioxidant hormone which inhibits cancer cell growth. Because of these hazards, cellular antenna placement should be carefully regulated in densely populated areas. Because local governments are better able to determine factors such as population density and demographics, those governments should retain the right to enact codes to protect citizens.

For these reasons, I request denial of the CTIA's petition for preemption of local regulation. Thank you for your careful consideration of my request.

Sincerely,

Mary Voegtlin Anderson

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FACTS ABOUT CELLULAR ANTENNA FACILITIES

HEALTH HAZARDS:

The potential health hazards generated by this antenna pose the strongest reason for preventing its construction. Numerous studies have shown the reality of the health problems caused by microwaves of electromagnetic radiation which consists of "electromagnetic fields (EMF's) propagated through space."[1]

The first supporting evidence came from a study conducted by a Colorado research group, who reported that children living next to high current power lines developed cancer at about twice the rate of children living at a distance from power lines. Three other major studies subsequently backed these findings. Then a Swedish study in 1992 revealed that children exposed to this type of radiation and strong electromagnetic fields demonstrated a "corresponding rise in leukemia risk."[2] In similar studies involving adults, EMF and radiation exposure have been linked to "elevated rates of cancer, brain tumors, leukemia, and most recently, breast cancer in both men and women."[3] The highly definitive results of all these research studies point to one incontrovertible fact: microwave radiation and strong electromagnetic fields are definitely linked to high cancer incidence.

CAUSES

Although the exact causal nature of this link is currently unknown, many theories have been postulated to explain how radiation and electromagnetic fields cause cancer. The currently most popular theory states that cancer and tumors result from radiation and EMF's interfering with the activity of the pineal gland in the brain. This interference suppresses the release of the hormone melatonin, a powerful antioxidant. One of melatonin's primary roles, like that of other antioxidants, is suppression of cancer cell or tumor growth. Thus when production of melatonin is blocked by exposure to microwave radiation, cancer and other immune system disorders are more likely to develop, uninhibited by the body's powerful natural antioxidant.

EXPERT TESTIMONY

Many scientific experts believe that this theory explains how microwave radiation and electromagnetic fields definitely cause the growth of cancer cells that was measured by the many different research studies mentioned above. One of these experts, Russell J. Reiter, Ph.D., of the University of Texas Health Science Center in San Antonio, has said, "This hypothesis is particularly attractive because it would explain the diversity of cancers reported in EMF studies over the years."[4] Another expert scientist, Dr. David Carpenter, dean of the School of Public Health at SUNY-Albany, has stated, "I think the evidence has grown stronger with time. We have a 90 percent certainty that EMF's pose a ... significant risk of cancer."[5] Also, Professor M. Granger Morgan of the Department of Engineering and Public Policy, Carnegie Mellon University, has recommended "prudent avoidance" of electromagnetic fields.[6]

The testimony of such experts as well as the undeniable evidence from research have generated the concern of the U.S. government and the National Cancer Institute over this issue. Epidemiologist Richard Stevens and several colleagues are currently conducting a three million dollar study, initiated and funded in 1992 by the National Cancer Institute to determine the exact link between high breast cancer rates of industrial nations and electromagnetic field radiation. Also, the U.S. Congress has ordered and funded a sixty-five million dollar research project involving laboratory experiments focusing on this issue.

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[1] E.Bruce Lindsay, "Electromagnetic Radiation," Encyclopedia Americana, 1994 ed.
[2] Jennifer Goren, "Don't Get Zapped by EMF's," Natural Health, (September-October, 1994), p. 120.
[3] Goren, p. 121.
[4] Goren, p. 121.
[5] Goren, p. 121.
[6] Goren, p. 121.

CURRENT LEGISLATION

City

Some cities have already enacted legislation protecting citizens from health hazards of antennas. For example, Austin, Texas, appointed a city task force to decide "how close cellular telephone towers can be to residences." As a result, Austin now has very strict "emission standards for all types of electromagnetic fields - not just those from cellular towers."[7] Suffolk County, N.Y. and San Francisco have also set limits on electromagnetic field exposure.[8]

State

A new Washington state law, effective 1-1-95, confirms the seriousness of the antenna's health threat by requiring homeowners to disclose the antenna's proximity to home buyers. Also, New York and Florida have enacted laws that limit electromagnetic field intensity around new power lines.[9]

Global

England and the former Soviet Union have set national electromagnetic field limits derived from the World Health Organization guidelines written in 1984. In January, 1990, the International Radiation Protection Association issued interim standards based upon those guidelines. Australia and West Germany subsequently adopted the IRPA guidelines.

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[7] Sharon Jason, "Austin Panel Proposes Cellular Tower Standards," Austin American-Statesman, CD NewsBank Computer Data Bank, February 28, 1994, p. 4.

[8] Janice Marchok, Oh No! Not My Electric Blanket Too? (A Guide to a Healthier Home) (Latrobe, PA: Jetmarc Group, 1991), p. 43.

[9] Marchok, p. 43.